

TERMS OF THE TIMES.

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The Times, the only morning Republican newspaper printed in Los Angeles that owns the exclusive right to publish here the telegraphic "night report" of the Associated Press, the greatest news-gathering organization in the world, has recently been renounced for a new series of hours.

SUBSCRIBERS, when writing to have the address of their paper changed, should state the former address.

CORRESPONDENCE solicited from all quarters. Every letter, topic or question given the name of the author, and the side of the question, only, write plainly, and send real name for the private information of the Editor.

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The Times.

BY THE TIMES-MIRROR COMPANY,
G. OTIS, President and General Manager.

ALEX. R. SPALDING, Vice-Pres., Treasurer and Bus. Mgr.

Wm. A. SPALDING, Secretary.

The Times has a larger bona fide circulation than any other newspaper published in Southern California.

JOEL HERNE, one of the eight surviving veterans of the war of 1812, died the other day in New Mexico.

The bill introduced in the Senate by Mr. Pratt, to prohibit members of Territorial Legislatures from holding office, is a good one. At present the main object of many members of Territorial Legislature is to create offices and then vote themselves into them.

JOHN SHERMAN is now without doubt the most prominent figure in connection with the Presidential nomination. It is very pleasant contrast with the usual style of talk about having the nominal "thrust upon him." John frankly states that he is a candidate. That is manly and meritorious.

The American, a San Francisco publication, representing the party of that name, in commenting upon Mr. Swift's letter, has the following to say:

The American party is here to stay. It makes no difference who carries or threatens, or who is the leader of the American party by either the Republican or Democratic organizations.

GEN. NELSON A. MILES, the gallant and famous officer who bears upon his person the scars of many battles, fought in the War for the Union, and who is a noble representative of the volunteer soldiers of America, and who honorably occupies a high place in the regular army, has not a few admirers among the journals of that party, too obvious to require explanation.

Almost without exception the leading Republican journals of the State have either printed the address of Mr. Swift entire, notwithstanding its length, or have quoted liberally from it, with remarks of cordial approbation.

Among the newspapers that have printed the address in full are the San Francisco Call and Bulletin, the Oakland Tribune, the Sacramento Bee, the San Jose Mercury and the Los Angeles Times.

The tone of the Republican press of the State upon Mr. Swift's address will be fairly judged by the following selections, which we make from the body of our exchanges:

THE TRUE AMERICAN PARTY.

(San Francisco Bulletin.)

John F. Swift has issued a short address in the last election, in which he takes the position that the true American party of this State is not the little group which has been the supporters of Mr. Wiggin in 1866, but the Democratic party, and that it is the duty of those who strayed away from the fold in that year to return to their allegiance again and help to elect a President of the United States, Democratic, but a Republican State. In these propositions Mr. Swift is right. The true American party, in the highest and broadest sense, is the Republican party, and no true American, who has at heart the best interests of the people, can long hesitate to do his duty.

REPUBLICAN PROSPECTS.

(San Francisco Bulletin.)

John F. Swift, the great candidate for governor in the last election, has issued an address, in which he reviews the election of 1866, and invites the party to unite for the great contest which is to come. He says that the true American party of the State is Republican by 15,000 majority, and is confident of the success of the party, both State and National, next time.

From these considerations, it is quite apparent that there is no exaggeration in Mr. Swift's estimates.

THE FATTED CALF.

(San Francisco Evening Post.)

Mr. Swift, the last Republican candidate for Governor, believing in the true American party of 1866, and the supporters of Mr. Wiggin in 1866, but the supporters of the Democratic party, and that it is the duty of those who strayed away from the fold in that year to return to their allegiance again and help to elect a President of the United States, Democratic, but a Republican State. In these propositions Mr. Swift is right. The true American party, in the highest and broadest sense, is the Republican party, and no true American, who has at heart the best interests of the people, can long hesitate to do his duty.

THE PRACTICE OF WRITING CHEAP, DEMAGOGUE LETTERS BY ELECTIONAL ASPIRANTS.

Mr. Swift's letter, with the exception of the first sentence, is a masterpiece of political writing. The practice of writing cheap, demagogue letters by electional aspirants has become too much of an ancient chestnut for a man like Mr. Swift to permit.

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SWIFT'S MESSAGE.

(Oakland Tribune.)

Mr. Swift, in his message to the Republican party, in which he believes California to be a Republican State by anywhere from 12,000 to 15,000 majority, and we agree with him. We believe, too, that the American party will be successful in the State, and that it is the duty of those who strayed away from the fold in that year to return to their allegiance again and help to elect a President of the United States, Democratic, but a Republican State. In these propositions Mr. Swift is right. The true American party, in the highest and broadest sense, is the Republican party, and no true American, who has at heart the best interests of the people, can long hesitate to do his duty.

THE FREEHOLDERS.

They Hold a Very Short Meeting Yesterday.

The Board of Freeholders met in the Council chamber at 10 o'clock yesterday morning, with Mayor Workman presiding, and the following members present: Messrs. Del Webb, Tolberman, Robinson and Vickery.

THE CLERK STATED THAT COMMITTEE NO. 9,

which had reported that it was not ready for the printer, whereupon Mr. Tolberman moved that it take the same course as that of Committee No. 9, which motion prevailed. This report deals with the question of sections and areas, and within 30 days after the charter is approved by the Legislature, a party of Federal troops and a number of men will go to the election, with the exception of the Assessor, who shall go in on the 1st of January, and that thereafter all officers shall go in on the first Monday in March following the election, with the exception of the Assessor, who shall go in on the 1st of January.

THERE BEING NO FURTHER BUSINESS,

the board adjourned to meet on Friday morning, the Clerk was instructed to notify Santa Barbara, and is expected to continue four days. The State Board of Horticulture will also meet at the same time and place.

TWADDLE.

The "pure" Republican journal in Los Angeles" came out yesterday morning with a ridiculous article on the Blaine letter, in the course of which occurs the absurd remark that "no other candidate has even been thought of as a possibility under any circumstances." In view of the fact that almost every prominent journal in the country has been full of speculation in regard to possible candidates, such a statement as the above shows a wonderful degree of obtuseness on the part of the would-be

Twenty Tramps.

Harry Johnston was out with a posse last night and rounded up about 20 tramps, who were marched up to the County Jail and locked up for the night.

THE RIVERSIDE FAIR.

RIVERSIDE, Feb. 14.—The citrus fair still continues to draw a large attendance.

A CHANCE TO INDICT GOUT.

NEW YORK, Feb. 14.—Dist. Atty. Felton announced today that he would submit the Gould-Sage matter to the Grand Jury this week.

ASSIGNED.

NEW YORK, Feb. 14.—William J. Negus & Co., dealers in hardware, assigned with preferences of \$25,000.

POINT'S OF THE MORNING'S NEWS.

Another explanation of Blaine's letter of withdrawal is that Cleveland goes to Florida.... Why Gen. Grant refused the Panama Canal Company presidency.... New Jersey proposes to substitute electric light for hanging in capital cases.... Mardi Gras caravans at San Francisco and New Orleans.... Heavy rain at Modesto.... An Indian chief murdered near Tia Juana.... Dealers in woolen goods form an association at New York.... Pennsylvania coal mines threatened with flooding.... Death of Seth Kluman, pioneer hunter.... Wreck of a schooner on the Mendocino coast.... Important decision by the California Supreme Court.... Frightful accident at Brooklyn, N. Y.... Result of the recent election at Salt Lake.... New roads to be opened in British Columbia.... Debts of the Earl of Aranagh on Irish emigration.... A noted amateur in the talk at Ogdensburg, N. Y.... The fishery negotiations nearly ended.... Summary of work of Senate and House committees.... Rioting at Guayaquil.... The Mayor of Cork was sentenced under the Cranes Act.... A split in the Anti-poverty party at New York.... The Rock Island road's proposed extension.... Santa Anna horsefright captured.... More smallpox cases in San Francisco.... Debate in the Senate on the inefficient postal service in the West.... Mrs. Robinson, the Boston murderer, starving herself to death.... Lynch law in Illinois.... Senator Stewart's bill to amend the Alien Land Act reported favorably.... Editor Pulitzer at Monterey.... Apaches marauding in Mexico.... The great Sioux reservation in Dakota to be divided.

JOHN F. SWIFT'S ADDRESS.

The effort of John F. Swift to restore harmony in the Republican party by inviting back to their places those who voted the American ticket in 1866, has been well received by the Republican press generally, and by the great mass of Republicans, including substantially all who sincerely desire to see the party united and properly equipped for the approaching campaign.

AS MEETINGS.

As was to be expected, the managers of the American party are in high dudgeon and abusing Mr. Swift most savagely. They protest with a fierceness that indicates no little angry feeling that they will not be placated by anybody, and least of all by the late Republican gubernatorial candidate.

THE OAKLAND PEOPLE.

Through all this din and uproar it is easy enough to perceive that the American managers find that Mr. Swift is making a successful flank movement upon their forces, and is likely to call back into the Republican ranks the big end of the American vote at the November election for 1868, which provides for the protection of lands, other than swamp lands, from over-flow, by the formation of districts, election of boards of trustees, and payment for protection by assessment on the lands in the district. The court held that no provision made by any person in a statute for the heating of a land-owner's whole land is to be charged. No notice is to be given him as to when the Board of Trustees will assess him, nor is there any provision as to when the assessment is to be paid in the act. The assessment is, by the terms of the act, made an absolute lien upon the property, and nothing is provided to show in what manner it is to be paid. The act is declared unconstitutional, and assessments and sales under it are invalid.

MORE COAL.

New Fields in British Columbia to Be Opened at Once.

VICTORIA (B. C.), Feb. 14.—(By the Associated Press.) Dunsmuir & Co. will immediately commence the opening up of a large extent of coal lands in Comox, which will include a district some 10 miles in length, and will necessitate the construction of about 13 miles of railway and a large extent of wharfage. The railway survey will be completed in two weeks, and 700 men will be employed in the work, and the miners will be brought in from the interior along the line of the Fraser unless local rates were paid. It was the virtual opposition of the miners to the construction of the railway that caused the delay. The principal portion of the present reservation, which is with the exception of a few small plots, is owned by the Indians. The miners will be required to pay a royalty of 10 per cent. on the coal produced.

THE SUPREME COURT SAYS THE LAND PROTECTION ACT IS VOID.

Morons Saints Shut forJoy Over the Recent Election at Salt Lake—New Coal Fields to be Opened in British Columbia—Coast Notes.

MORON SAINTS SHUT FOR JOY OVER THE RECENT ELECTION AT SALT LAKE—NEW COAL FIELDS TO BE OPENED IN BRITISH COLUMBIA.

By Telegraph to The Times.

SALINAS, Feb. 14.—By the Associated Press.] The trial of the suit of E. T. M. Simmons against the Pacific Improvement Company for \$100,000 for having had him arrested and tried on the charge of setting fire to the hotel when it was burned last April.

A JURY OBTAINED WITHOUT HIM.

Jury obtained without him to try the case.

REDDING TO ISSUE BONDS.

REDDING, Feb. 14.—At a meeting of leading citizens tonight the proposition to bond the city for sewerage and grading was discussed, and it was unanimously decided to instruct the city trustees to call an election to vote \$30,000 worth of bonds for the purpose.

REDWOOD CITY TO TAKE A TRIP TO FLORIDA.

President Cleveland to Take a Trip to Florida.

THE SENATE DISCUSSES THE POOR POSTAL FACILITIES OF THE WEST.

Many Measures Reported by the Committees.

WASHINGTON.

President Cleveland to Take a Trip to Florida.

A KANSAS CONGRESSMAN ASSAULTS THE COMBINATION BETWEEN WESTERN UNION AND THE UNION PACIFIC—INDIAN LANDS IN DAKOTA TO BE OPENED TO SETTLERS.

By Telegraph to The Times.

SAN DIEGO, Feb. 14.—(By the Associated Press.) Senator Stewart, from the Committee on Mines and Mining, today reported the bill for the construction of the Missouri River to the Senate.

AN INDIAN CHIEF MURDERED.

SAN DIEGO, Feb. 14.—The coroner's jury in the case of Antonio Dehasa, chief of the Indians around Tia Juana, whose body was found there on Sunday, returned a verdict charging Quatro, the Indian in whose company Dehasa was last seen, with murder.

PAYING FOR ITS LAND.

SAN DIEGO, Feb. 14.—(By the Associated Press.) The Central Railroad Company has placed in the hands of the Auditor of State the sum of \$60,000 to payment for lands recently condemned in the case of that company vs. George F. Hooper and others.

TREE-PLANTING IN SAN BERNARDINO.

SAN BERNARDINO, Feb. 14.—(By the Associated Press.) The speaker of the house of representatives of the state assembly, Mr. Caswell, from the Committee on Mines and Mining, reported a bill for the construction of mining roads in the territories.

THE HOUSE APPROVES THE BILL.

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LETTERS TO THE TIMES.

Police Valentine.
LOS ANGELES, Feb. 14.—To the Editor of THE TIMES.] Again, where are the police? Is there, or not, a city ordinance forbidding merchants and others to obstruct the sidewalks with their goods? Here we have a growing city, so rapidly increasing its population that the pressure in the principal streets, too narrow to begin with, has become the subject of general regret and complaint; and, although it would greatly help to mitigate this evil, nothing, as usual, is done to put the authorities in a position to do the things they were in this connection appointed to perform, and are paid by the long-suffering public to execute. Is there boddle in even this, or are our protectors still so busy big-boozing with gamblers and prostitutes, or discussing personal problems with each other, that they find one of them particularly interested in looking for a needle in the proverbial haystack of life? If we want to refresh our eyes with a sight of one of these gentlemen in the verity of flesh, we have to go to the corner of one of the streets, where he is stationed, with an ornamental voice and cause, for the purpose of slowing down the traffic of drivers.

I could give instances of outrageous obstruction of the sidewalks, right in the busiest portions of the city center, but, among so many law-breakers, to particularize would be invidious. At least, the nuisance could be minimized, by insisting that the obstructions be arranged and packed in the form of the obnoxious article instead of being scattered anyhow all over the sidewalk, just as if the owner wished to demonstrate his contempt for the public, and his determination to add insult to injury; and, while about it, why should not the police put in some of their spare time—that is, when fully through with the events of the day—about the more lawless and crossing obstructionists, moving them out of the way, and they might even do something toward suppressing the unearthly shriek of the newsboy, who is forever darting between our feet and doing his shrill to split our heads. If this city is not all hoodlum and boodle, some small efforts for our comfort and convenience will possibly be made by our patrons, the police, about the time the millennium starts in.

CITIZEN.

Where the Population Is.

LOS ANGELES, Feb. 14.—[To the Editor of THE TIMES.] To show the absurdity of placing the postoffice for Los Angeles city away down on Fort Street, if the object of the Government is the greatest good to the greatest number, I have prepared a statement of the vote of the city at the last municipal election: All of the following wards and parts of wards are above or north of Seventh street:

First Ward, total vote..... 915

Second Ward, total vote..... 1304

Third Ward, total vote..... 998

Fourth Ward, total vote 736; two-thirds above Seventh street..... 490

Total vote above Seventh street..... 3707

Total vote below, or south, or Sev-enth street:

Fourth Ward..... 945

Fifth Ward..... 546

Total..... 901

Nearly four-fifths of the city vote is above Seventh street, and nearly all below Seventh are farmers.

The post office is located in the center of the city, and there is just as much good land to build a city on east, north and west of the present location as there is south of it, and any advan-tage or revenue derived from Los Angeles by the Government has been brought about by the people who live north of Seventh street. Why, then, should the postoffice be moved out of the city to accommodate a few speculators in real estate. J. W. Potts.

Defense of Expressmen.

LOS ANGELES, Feb. 14.—[To the Editor of THE TIMES.] Permit me to ask you a few questions concerning your publication of last Sunday, the 13th inst., headed "Baggage Smashers." In said publication the poor expressmen are taken to task because many of said expressmen are alleged to be "baggage fiends, swindlers and cheats." For the sake of argument, I will suppose the above to be true. Now, Mr. Editor: If it did not occur to you that such a sweeping criticism will hurt every expressman, the innocent and the guilty, and benefit only the rich transfer companies?

Second—How will the raise of license to \$10 remedy the evil? It may diminish the number of poor, honest expressmen, but certainly not the number of dishonest ones.

Third—Do you not think that the only remedy is a thorough investigation of the record of the applicants for the privilege of doing express business? Respectfully,

X.

Long Beach Items.

Amos Walton is here from Kansas to establish a boot and shoe shop.

Mrs. Dodsworth's daughter Martha was at Long Beach on Saturday last, making preparations to reside permanently here. They have sold their beautiful residence in the city.

Mr. F. A. Bennett, introduced by Dr. Dillenham, spending the week here, looking over the ground, with the view of founding the first bank of Long Beach. The idea of the establishment of a bank here is regarded with great favor.

Messrs. Dunn and Darlington and Mr. E. Russell Morris petitioned the County Board of Supervisors to grant them an electric-light franchise for the city. The matter was referred to the Long Beach city trustees. Let there be light.

In the garden of Mr. J. R. Nevin, at the corner of Pine and First streets, there is a lemon tree only a few weeks old, and yet it hangs full of lovely lemons. Any thought about citrus fruits not doing well too close to the sea must give place to the tests of experience.

Hon. W. S. Williams, ex-Mayor of Napanee, Ontario, Canada, is now visiting his brother, Dr. Williams of Long Beach, and has made up his mind to invest heavily in Southern California. Mr. Williams is an attorney-at-law, secretary of a railroad, and United States counselor.

A novel Christmas-tree Festival.

"At the Christmas tree at the Episcopal Church Saturday evening," says an Arizona paper just received, "there was a novel and pleasant surprise for the children, as well as for the elders. The tree was a large pine, extending to the ceiling of the church. In front of it stood an immense cloth screen, so that it was impossible to see anything except the top of the tree. There was great curiosity on all hands to know the reason of this, and all were on the qui vive. When the large audience had assembled the screen was re-

moved and the body of One-eyed Smith, the noted horse thief, was seen hanging to the largest limb. The sight was met with deafening applause, after which the rector explained that Smith had been condemned to death by the Willing Woods Vigilance Committee.

The most laughable part was yet to come, however, when, after the presents had been distributed to the little folks by Col. Sandy McCracken, superintendent of the Sunday-school, the members of the Bible class stepped forward and cut down Smith and the Condemned rider, our efficient County Coroner. This gentleman expressed his thanks for the gift in a few well-chosen words and immediately impaneled a jury, which brought in a verdict that deceased came to his death by suicide self-defense. Take the whole affair together, it was the most happily concluded and I might say carried out of anything of the kind which ever happened in our midst."

What Makes a Man.

Not numerous noses, nor lengthened life, nor pines, chains, and fancy rings.

Not any such like trumpery things; not a man of the world, not a fine fellow;

No liberty with kings to dine;

Not coat, nor boot, nor hat, a not,

No master, reverend sir, nor squire,

With titles that the memory tire;

Not a man from Normandy to kill;

Not Latin, Greek, nor Hebrew lone;

Not crowns that deck the royal race;

These, all united, never can;

Enlarge the soul to make the man.

A truthful soul, a loving mind,

For the love of God, and man;

A soul of beauty and of grace,

That never bends the knee;

That will not bear a feather's weight;

That firmly speaks of God within;

That makes no effort to be great;

That loves truth for its own sake;

That worships God, and Hallelujah;

That is the man, the man, the man.

—*W. H. Thompson.*

Wood Engraving.

I wish to have known that I have established a first-class wood-engraving establishment here at 56 and Banning street. Any style of illustrations, book illustrations, machines, or sizes, whatever, also wood engravings of any design to advertise in periodicals, or any other thing, will be done right here in Los Angeles. Address: Geo. C. Jones, 908, room 28, Phelan building, San Francisco.

Decorative Art.

Needwork and painting taught. Latest styles material and latest New York ideas.

Address: Mrs. Anna Graham, 908, room 28, South Main street, in Meyerberg's Crystal Palace Building, Los Angeles.

Souvenir and gift articles.

The first lady licentiate of Kentucky, many years ago, has written a book on the cure of sterility, leucorrhea, ovarian diseases, irregularities—relief and radical change felt from the first treatment. No. 81, Spring street.

Mr. Wells, Woman, Speculated.

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Dr. Wong, Him, THE FAMOUS PHYSICIAN AND SURGEON, man, woman, child care, obstetrics, diseases, asthma, rapture, dropsy, etc.; also eyes and ears, diseases of the heart, lungs, liver, stomach, blood, womb, troubles, nervous, piles, etc. Consultation free. Call at 11 a.m. to 12 m., 2 p.m. to 3 p.m. Room 28, Main street. Los Angeles.

DR. HILTON WILLIAMS HAS REMOVED his office to 100 Hollywood, second floor, and has given his address to friends to be found, to those and closest friends, hours from 10 a.m. to 12 m., 2 p.m. to 3 p.m.

DR. PARKER, INDEPENDENT PHYSICIAN, life-saving clairvoyant. Consultations on diseases, lawsuits, medical specifications, etc. Address: 28 Spring st., room 15. 9 a.m. to 12 p.m.

DR. LENZBERG, TEST AND BUSINESS.

DR. L. M. SHORT, CLINIC AND MASSAGE TREATMENT—MISS MAE SHORT, CALIFORNIA Bank building, room 15 and 22.

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DR. M. H. HOPKINS, BUSINESS AND FINANCIAL CONSULTANT, formerly of Boston, Mass., has lately returned from a tour through the East, and is now in Los Angeles, where he is pleased to meet her former friends and patrons.

DR. M. HILTON WILLIAMS HAS REMOVED his office to 100 Hollywood, second floor, and has given his address to friends to be found, to those and closest friends, hours from 10 a.m. to 12 m., 2 p.m. to 3 p.m.

DR. PARKER, INDEPENDENT PHYSICIAN, life-saving clairvoyant. Consultations on diseases, lawsuits, medical specifications, etc. Address: 28 Spring st., room 15. 9 a.m. to 12 p.m.

DR. LENZBERG, TEST AND BUSINESS.

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H. H. BOYCE.

THE BRIGGS MAKING OUT A STRONG CASE.

Boyce Appears in Court and Makes Faces at Young Bragg—He Is Carted In a Chair—The New Complaint.

The case of W. H. Seaman and H. H. Boyce, charged with conspiracy to defraud, was called in Justice Taney's court yesterday morning. It was stated that Mr. Boyce's condition was such that it would not be prudent for him to venture out so early in the day, and the case was continued to 1:30 o'clock, at which time, it was said, that he would appear.

Promptly at 1:30 o'clock, W. H. Seaman appeared by his attorney, Judge Fitzgerald, entered the courtroom. Shortly after C. C. Bragg, the complaining witness, and E. C. White, accompanied by Henry T. Gage, also came into court, followed in a few minutes by Deputy District Attorney Dunlap. Among others in the courtroom were C. J. Richards, C. F. Bragg, a number of lawyers, constables and friends of the parties to the suit. There was some delay at this point, and it was suggested that perhaps Mr. Boyce's physician had forbidden him to come out and that the case would have to come over in consequence. Judge Fitzgerald stated that Mr. Boyce had told him that it would be well for him to have exercised and that a little patience would be exercised, and as the testimony came up they would dispose of it, and the taking of evidence was at once proceeded with.

C. C. BRAGG.

was the first witness called for the prosecution. He was asked and testified as follows:

"My name is C. C. Bragg. I live in Cincinnati and am a bookbinder by trade. I know Seaman and Boyce. I met Boyce in San Francisco four years ago. I met Seaman at Boyce's home on Sunday, January 25, 1903, and he told me of his intention to buy the Victor Marble Company to my brother and myself, at the solicitation of Boyce."

At this point Judge Fitzgerald asked that the witness be placed under the rule, which was done, and all the witnesses were sworn and left the courtroom.

Mr. Bragg continued: "I saw the defendant and his wife and daughter, who took seats outside the rail. Mr. Boyce was wrapped up in a large blanket, and was a week or two's growth, but otherwise looked natural, and did not appear greatly emaciated. He greeted his attorneys cordially, and, after a few preliminaries, the case opened.

Judge Fitzgerald then addressed the Court. He stated that a general demurmer was filed, and that the State Attorney, who was the father of the monstrosity (meaning the complainant in the case), was not present, he presumed, and therefore, with a view to his return to the trial, he had been retained by the defense.

Mr. Gage replied that he had not been retained by the defense, and wanted to prosecute it fairly and honestly, and would do his best.

Mr. Dunlap returned to the courtroom in a trice, when Judge Fitzgerald again arose and announced that there was a general demurmer to the complaint, which he had prepared to present.

He had turned to Mr. Dunlap, when that gentleman and Mr. Gage retired to Justice Taney's private office for consultation.

They were gone a few minutes, when Judge Fitzgerald remarked that he "presumed the District Attorney's office was in labor bringing forth another monstrosity."

When Messrs. Dunlap and Gage returned, Justice Taney had a general demurmer on consultation they had decided to submit the demurmer without argument.

Mr. Dunlap, on behalf of the State, confessed the demurmer and a complaint filed which had been lost, and that, in consequence, he had been compelled to draw up another one—the one presented—which had been rejected as a crime.

Mr. Dunlap: "Do you know, of your own knowledge, that these representations made were not true?"

Objection by Judge Fitzgerald, which, after argument, was overruled.

Mr. Bragg continued: "These representations being made, I have no knowledge are untrue. I did not know it at the time, or I would not have parted with my money. This occurred in this city on the 23d and 24th of January, as stated."

Judge Fitzgerald moved that all the evidence referring to the conversation of witness with Boyce and Seaman be stricken out, on the ground that the stock ledger of Seaman, the ledger title was vested in him, and that, if he had been injured, the loss would fall on the company, and not on him as an innocent purchaser.

Mr. Gage insisted that the evidence be admitted, and read authorities to show that, as conspiracy was proved almost wholly by circumstances, all facts bearing on the crime should go in.

Mr. Dunlap: "Is there any consultation between the parties, and this was important, as showing that a degree of intimacy had existed between them?"

Judge Fitzgerald: "That is all I can say at this point. It was suggested that a general demurmer be had, as Mr. Boyce might be fatigued, but that gentleman objected, and asked that a night session be had, and, after general discussion, the trial was dismissed, and, yesterday testimony was taken, and, yesterday, was overruled."

The prosecution submitted without argument, and the demurmer was at once overruled.

Counsel for the defense waived the reading of the complaint, but Mr. Gage suggested that the State Attorney should file a complaint with the court, whereupon Justice Taney read the new complaint, as follows:

"In the Justice's Court, Los Angeles, in the county of Los Angeles, State of California. (Before B. E. Taney, Justice of the Peace.)

"The People of the State of California, Plaintiff, vs. W. H. Boyce, H. H. Bragg, Defendants. (Complaint, criminal.)"

"Personally appeared before me, this 14th day of February, 1883, C. C. Bragg, a resident of the city of Cincinnati, State of Ohio, and citizen in the state of America, State of California, who, first being duly sworn and H. H. Boyce, in the 29th day of January, in the year of our Lord, 1883, in the county of Los Angeles, State of California, did commit the crime of conspiracy to obtain money and property of another by false pretenses; committed at Los Angeles, in the manner and the court to procure them.

Mr. Gage returned with the authorities, and cited a number of cases, and the court, and the court has decided again allowing evidence that had been passing struck out.

Judge Fitzgerald stated that, while he claimed that a case of conspiracy was different, when Mr. Gage interposed the question, "What is the difference between conspiracy and robbery?"

The court was overruled.

It was suggested at this point by Mr. Boyce that he was president of the company, and that he had been compelled to draw up another one—the one presented—which had been rejected as a crime.

Mr. Gage at this point said he would produce the affidavit of his mother, and let the court to procure them.

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